

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4683-01  
Bill No.: HB 1747  
Subject: Motor Vehicles; Crimes and Punishment; Courts  
Type: Original  
Date: April 11, 2014

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Bill Summary: This proposal allows community service in lieu of a fine for certain traffic offenses.

**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<b>Local Government</b>	<b>(Unknown greater than \$100,000)</b>	<b>(Unknown greater than \$100,000)</b>	<b>(Unknown greater than \$100,000)</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Office of State Courts Administrator**, the **Office of Prosecution Services** and the **Office of the State Public Defender** each assume there is no fiscal impact to their respective organizations from this proposal.

Officials at the **Department of Elementary and Secondary Education** assume no increased cost to the state due to the fact that the fine amount in the local effort deduction does not decrease below the 2004-2005 level, thus not increasing the level of state aid to offset the loss in fine money. Therefore, local school districts could incur a loss.

Officials at the **City of Columbia** assume this would have an unknown impact on the City.

Officials at the **City of Cape Girardeau** assume the impact is unknown. The City would need to supervise the people doing the community service which would increase administrative costs. There is no way to calculate the impact.

Officials at the **Fulton Public Schools** assume this has the potential to reduce fines and forfeiture revenue though the loss is considered minimal.

Officials at the **City of O'Fallon** assume unknown costs to track the community service.

Officials at the **Francis Howell School District** assume this would negatively impact the school. The school collects \$450,000 annually from fine revenue. Allowing community service would reduce what the school collects.

Officials at the **City of Poplar Bluff** assume they currently allow this. However, they allow it more often than provided in the bill.

Officials at the **City of Jefferson City**, the **Parkway School District** and the **Special School District** each assume there is no fiscal impact to their respective organizations from this proposal.

**Oversight** will reflect the increased costs to the local political subdivisions to implement this proposal, a savings from the work provided by community service, and then a decrease to local political subdivisions from the loss of fine revenue for those opting to perform community service in lieu of paying a fine.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
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**LOCAL POLITICAL SUBDIVISION**

<u>Savings</u> - Local Political Subdivisions - work performed by community service	Unknown	Unknown	Unknown
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<u>Cost</u> - Local Political Subdivisions - increased administrative costs due to supervision and tracking of community service workers	(Unknown greater than \$100,000)	(Unknown greater than \$100,000)	(Unknown greater than \$100,000)
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<u>Loss</u> - Local Political Subdivisions - fine revenue decrease due to option to perform community service	(Unknown greater than \$100,000)	(Unknown greater than \$100,000)	(Unknown greater than \$100,000)
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<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b>(Unknown greater than \$100,000)</b>	<b>(Unknown greater than \$100,000)</b>	<b>(Unknown greater than \$100,000)</b>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill specifies that if the court finds that a defendant is indigent or is without sufficient disposable income to pay restitution, court costs, fees, expenses, or fines over a one-year period and upon motion of the defendant, the court of jurisdiction must consider sentencing the defendant to perform community service under conditions as may be established by the court in lieu of paying restitution, court costs, fees, expenses, or fines for all traffic offenses deemed infractions or class C misdemeanors of any ordinance or political subdivision of this state. If a

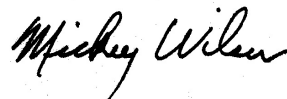
FISCAL DESCRIPTION (continued)

person is not indigent, the court of jurisdiction may offer community service in lieu of a fine for the offenses; however, the defendant must be responsible for paying all court costs, fees, and expenses. Once a defendant is sentenced to perform community service in lieu of paying a fine under these provisions, he or she must be ineligible for a community service sentence for future traffic offenses within the same jurisdiction within the 12-month period following the date of the offense for which community service was ordered.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

City of Columbia  
City of Cape Girardeau  
City of Jefferson City  
City of O'Fallon  
City of Poplar Bluff  
Department of Elementary and Secondary Education  
Francis Howell School District  
Fulton Public Schools  
Office of State Courts Administrator  
Office of Prosecution Services  
Office of the State Public Defender  
Parkway School District  
Special School District



Mickey Wilson, CPA  
Director  
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Ross Strobe  
Assistant Director  
April 11, 2014

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